

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) Case No. CR06-191-RSL
CHRISTOPHER ACOBA,)
Defendant.)

DETENTION ORDER

Offenses Charged:

Count 1: Felon in Possession of a Firearm in violation of 18 U.S.C. § 922(g).

Count 2: Distribution of Cocaine in violation of 21 U.S.C. §§ 841(a)(1),

841(b)(1)(C), and 18 U.S.C. § 2.

Count 3: Possession of a Firearm in Furtherance of a Drug Trafficking Offense in violation of 18 U.S.C. §§ 924(c)(1)(A) and 2.

Date of Bond Revocation Hearing: October 26, 2006.

On May 24, 2006, the defendant was ordered detained by the undersigned United States Magistrate Judge. On June 21, 2006, a detention review hearing took place before the Honorable Robert S. Lasnik, after which the Court granted the motion and the defendant was released on bond, pending halfway house placement.

On August 29, 2006, defendant pleaded guilty to Count 1 in the Indictment of Felon

01 in Possession of a Firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924 (a)(2).
02 Sentencing is scheduled for December 1, 2006. On October 11, 2006, Pretrial Services filed
03 a Violation Report and Request for Warrant against defendant, alleging that the defendant
04 violated the terms and conditions of his bond as follows:

05 1. Christopher Acoba has violated the bond condition that he not use, consume,
06 or possess a controlled substance, unless the substance is prescribed to him by a physician, by
07 using Methamphetamine on or about September 30, 2006.

08 2. Christopher Acoba has violated a special condition of his appearance bond,
09 which requires that he comply with drug testing, by failing to call the telephone scheduling
10 system as directed by Pretrial Services, on October 2, 2005, and October 10, 2006.

11 3. Christopher Acoba has violated a special condition of bond requiring he
12 submit to drug and alcohol testing as directed by Pretrial Services, by failing to submit to
13 testing on October 3, 2006, and October 11, 2006.

14 On October 26, 2006, the defendant appeared for a hearing on the alleged violations.
15 He was advised of his constitutional rights and his right to a hearing on the alleged
16 violations. He admitted violations 1, 2, and 3, and waived his right to a hearing.

17 Pursuant to CrR 32.1, CrR46(c) and 18 U.S.C. § 3142(f), and based upon the factual
18 findings and statement of reasons for detention hereafter set forth, finds as follows:

19 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

20 (1) Defendant has admitted violations 1, 2 and 3.

21 (2) The defendant has shown an inability or unwillingness to comply with the
22 terms of supervision as indicated by the violation of the terms of the bond.

23 (3) The defendant appears to have serious and on-going substance-abuse
24 problems.

25 (4) The defendant has pleaded guilty to Count 1 of the Indictment.

26 (5) Defendant is a danger to the community and a risk of flight.

01 (6) There appear to be no conditions or combination of conditions other than
02 detention that will reasonably address the risk of flight or the danger to other persons or the
03 community.

04 IT IS THEREFORE ORDERED:

05 (1) Defendant shall be detained pending trial and committed to the custody of the
06 Attorney General for confinement in a correction facility separate, to the
07 extent practicable, from persons awaiting or serving sentences or being held in
08 custody pending appeal;

09 (2) Defendant shall be afforded reasonable opportunity for private consultation
10 with counsel;

11 (3) On order of a court of the United States or on request of an attorney for the
12 government, the person in charge of the corrections facility in which
13 defendant is confined shall deliver the defendant to a United States Marshal
14 for the purpose of an appearance in connection with a court proceeding; and

15 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
16 counsel for the defendant, to the United States Marshal, and to the United
17 States Pretrial Services Officer.

18 DATED this 30th day of October, 2006.



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20 JAMES P. DONOHUE
21 United States Magistrate Judge
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